**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE ANTONY DOMINIC**

**THURSDAY, THE 13TH DECEMBER 2007 / 22ND AGRAHAYANA 1929**

**WP(C).No. 35813 of 2007(L)**
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**PETITIONER:**
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**K.V.PHILIPOSE, AGED 70 YEARS,**
**S/O.KURIAKOSE, VELLAPPALLIL HOUSE,**
**VADAVATHOOR P.O., KOTTAYAM DISTRICT.**

**BY ADV. SRI.JOBI JOSE KONDODY**

**RESPONDENTS:**
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**1. THE DISTRICT COLLECTOR, COLLECTORATE,**
**KOTTAYAM DISTRICT.**

**2. THE TAHSILDAR, TALUK OFFICE,**
**KOTTAYAM, KOTTAYAM DISTRICT.**

**3. THE GEOLOGIST,**
**MINING AND GEOLOGY DISTRICT OFFICE,**
**CIVIL STATION, KOTTAYAM - 2,**
**KOTTAYAM DISTRICT.**

**BY GOVERNMENT PLEADER SRI.I.V.PRAMOD**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**ANTONY DOMINIC, J.**
**==========**
**W.P.(C) NO. 35813 OF 2007 L**
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**Dated this the 13th day of December, 2007**

**J U D G M E N T**

The application made by the petitioner for a sketch and possession certificate of his property has been turned down by the 2nd respondent acting upon the direction issued by the District Collector that such a certificate shall not be issued. In my view, this action of the 2nd respondent cannot be approved. If the 2nd respondent has the competence to decide on the application, untramelled by any order which is issued by the 1st respondent, the 2nd respondent is bound to consider the application. This is all the more so for the reason that there is no supervisory power conferred on the 1st respondent in this regard.

2. Therefore, quashing Ext.P2, I direct that the 2nd respondent shall deal with Ext.P1 application filed by the petitioner and pass appropriate orders thereon.

Writ petition is disposed of as above.

**ANTONY DOMINIC, JUDGE.**

Rp